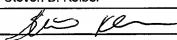


PTO  
465050107  
J 1001  
01/22/02

<b>UTILITY PATENT APPLICATION TRANSMITTAL</b> <small>Use for new nonprovisional applications under 37 CFR 1.53(b)</small>	Attorney Docket No.	8229-018-27 CIP
	First Inventor or Application Identifier	JIM HUNTER, ET AL.
	Title	HIGH CONTRAST GRATING LIGHT VALVE

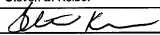
<b>APPLICATION ELEMENTS</b> <small>See MPEP chapter 600 concerning utility patent application contents</small>	<b>ADDRESS TO:</b> Assistant Commissioner for Patents Box Patent Application Washington, DC 20231
1. <input checked="" type="checkbox"/> <b>Fee Transmittal Form (e.g. PTO/SB/17)</b> <small>(Submit an original and a duplicate for fee processing)</small> <input type="checkbox"/> Applicant claims small entity status.	<b>ACCOMPANYING DOCUMENTS</b>  6. <input type="checkbox"/> Assignment Papers (cover sheet & document(s)) 7. <input type="checkbox"/> 37 C.F.R. §3.73(b) Statement <input type="checkbox"/> Power of Attorney <small>(when there is an assignee)</small> 8. <input type="checkbox"/> English Translation Document <i>(if applicable)</i> 9. <input type="checkbox"/> Information Disclosure Statement (IDS)/PTO-1449 <input type="checkbox"/> Copies of IDS Citations 10. <input type="checkbox"/> Preliminary Amendment 11. <input checked="" type="checkbox"/> White Advance Serial No. Postcard 12. <input type="checkbox"/> Certified Copy of Priority Document(s) <small>(if foreign priority is claimed)</small> 13. <input type="checkbox"/> Request for Priority 14. <input checked="" type="checkbox"/> List of Inventors' Names and Addresses 15. <input checked="" type="checkbox"/> Other: NonPublication Request and Certification Request For Declaration of Interference
2. <input checked="" type="checkbox"/> <b>Specification</b> Total Pages <span style="border: 1px solid black; padding: 0 10px;">17</span>	
3. <input checked="" type="checkbox"/> <b>Drawing(s) (35 U.S.C. 113)</b> Total Sheets <span style="border: 1px solid black; padding: 0 10px;">5</span>	
4. <input type="checkbox"/> <b>Oath or Declaration</b> Total Pages <span style="border: 1px solid black; padding: 0 10px;"></span> a. <input type="checkbox"/> Newly executed (original or copy) b. <input type="checkbox"/> Copy from a prior application (37 C.F.R. §1.63(d)) <small>(for continuation/divisional with box 16 completed)</small>	
5. <input type="checkbox"/> <b>Incorporation By Reference</b> <i>(usable if box 4B is checked)</i> <small>The entire disclosure of the prior application, from which a copy of the oath or declaration is supplied under Box 4B, is considered to be part of the disclosure of the accompanying application and is hereby incorporated by reference therein.</small>	
16. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below:	
<input type="checkbox"/> Continuation <input type="checkbox"/> Divisional <input checked="" type="checkbox"/> Continuation-in-part (CIP)    of prior application no.: 10/029,875, filed December 31, 2001 (Pending); which is a CIP off of 09/802,619, filed March 8, 2001 (pending)	
Prior application information: Examiner: Group Art Unit:	
7. Amend the specification by inserting before the first line the sentence: <input checked="" type="checkbox"/> This application is a <input type="checkbox"/> Continuation <input type="checkbox"/> Division <input checked="" type="checkbox"/> Continuation-in-part (CIP) of application Serial No. 10/029,875 Filed on December 31, 2001 (Pending); which is a CIP off of 09/802,619 filed March 8, 2001 (Pending).	
<input type="checkbox"/> This application claims priority of provisional application Serial No. Filed	
<b>18. CORRESPONDENCE ADDRESS</b> Supervisor, Patent Prosecution Services PIPER MARBURY RUDNICK & WOLFE LLP 1200 Nineteenth Street, N.W. Washington, D.C. 20036-2412 Telephone No. (202) 861-3900 Facsimile No. (202) 223-2085	

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	1/22/02
Name		Telephone	202-861-3900
		Registration No.	

# FEE TRANSMITTAL

<b>FEE TRANSMITTAL</b>		Docket No.	8229-018-27 CIP	
		Serial No.	NEW CIP APPLICATION	
		Filing Date	HEREWITH	
		Inventor(s)	JIM HUNTER, ET AL.	
		Group Art Unit	UNASSIGNED	
TOTAL AMOUNT OF PAYMENT		\$870.00	Examiner	UNASSIGNED

1. <input type="checkbox"/> Applicant claims small entity status. <input checked="" type="checkbox"/> Charge any <u>UNDERPAYMENT</u> or credit any <u>OVERPAYMENT</u> in the indicated fees to Deposit Account No. 50-1442. <input type="checkbox"/> Charge the indicated fees to Deposit Account No. 50-1442.										FEE CALCULATION (continued)													
2. <input checked="" type="checkbox"/> Check enclosed.										3. ADDITIONAL FEES													
										Large Entity		Small Entity		Fee Description									
										Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Paid									
FEE CALCULATION										105	130	205	85	Surcharge-late filing fee or cash						130.00			
1. BASIC FILING FEE										127	50	227	25	Surcharge-late provisional filing fee or cover sheet									
Large Entity		Small Entity		Fee Description						139	130	139	130	Non-English specification									
Fee Code	Fee (\$)	Fee Code	Fee (\$)							147	2520	147	2520	Ex parte reexam fee									
01	740	201	370	Utility filing fee						115	110	215	95	1-mo. ext. of time									
06	330	208	165	Design filing fee						116	400	216	200	2-mo. ext. of time									
07	510	207	255	Plant filing fee						117	520	217	500	3-mo. ext. of time									
08	740	208	370	Reissue filing fee						118	1440	218	720	4-mo. ext. of time									
114	160	214	80	Provisional filing fee						128	1950	228	950	5-mo. ext. of time									
SUBTOTAL (1)										119	320	219	130	Notice of Appeal									
EXTRA CLAIM FEES										120	320	220	150	Appeal Brief									
tot. claims	7	-	20*	=	0	x	\$18	=	0	121	280	221	140	Request for Oral Hearing									
ind. claims	2	-	3*	=	0	x	\$84	=	0	142	1280	242	840	Utility/Reissue Issue Fee									
<input type="checkbox"/> Multiple Dependent Claims										\$280	=		143	480	243	230	Design Issue Fee						
Large Entity		Small Entity		Fee Description						144	620	244	310	Plant Issue Fee									
Fee Code	Fee (\$)	Fee Code	Fee (\$)							122	130	122	130	Petitions to the Commissioner									
103	18	203	9	Claims in excess of 20						126	180	126	150	IDS Submission									
102	84	202	42	Independent claims in excess of 3						561	40	561	40	Assignment									
104	260	204	130	Multiple dependent claim, if not paid						175	740	275	570	For Filing RCE									
109	84	209	42	*Reissue independent claims over original patent						169	900	169	900	Expedited Design									
110	18	210	9	*Reissue claims in excess of 20 and over original patent						OTHER (indicate below).													
SUBTOTAL (2)										\$0.00													
* or number previously paid, if greater, For Reissues, see above										SUBTOTAL (3)										\$130.00			

Name	Steven B. Kelber	Registration No.	30,073
Signature		Date	1/22/07
Name		Registration No.	
		Telephone	202-861-3900

DOCKET NO. 8229-018-27 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: JIM HUNTER, ET AL.

SERIAL NO.: NEW CIP APPLICATION

FILING DATE: HEREWITH

FOR: HIGH CONTRAST GRATING LIGHT VALVE

**LIST OF INVENTORS' NAMES AND ADDRESSES**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Listed below are the names and addresses of the inventors for the above-identified patent application.

1. Jim HUNTER  
385 Moffett Park Drive, Suite 115  
Sunnyvale, CA 94089-1208
2. Chris GUEDEMAN  
385 Moffett Park Drive, Suite 115  
Sunnyvale, CA 94089-1208
3. David T. AMM  
178 Greenless Drive  
Kingston, Ontario, K7K 6P5, CANADA

A declaration containing all the necessary information will be submitted at a later date.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP



Steven B. Kelber  
Registration No. 30,073  
Attorney of Record

1200 Nineteenth Street, N.W.  
Washington, D.C. 20036-2412  
Telephone No. (202) 861-3900  
Facsimile No. (202) 223-2085

DOCKET NO. 8229-018-27 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: JIM HUNTER, ET AL.

SERIAL NO.: NEW APPLICATION

FILING DATE: HEREWITH

FOR: HIGH CONTRAST GRATING LIGHT VALVE

**NONPUBLICATION REQUEST  
AND CERTIFICATION UNDER 35 U.S.C. 122(b)(2)(B)(i)**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:


It is hereby certified that the invention disclosed in the attached application has not been and will not be the subject of an application filed in another country, or under a multilateral agreement, that requires publication at 18 months after filing. It is hereby requested that the attached application not be published under 35 U.S.C. 122(b). Applicant reserves the right to rescind this request pursuant to 35 U.S.C. 122(b)(2)(B)(ii).

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP

1/22/02  
Date

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Steven B. Kelber  
Registration No. 30,073

DOCKET NO. 8229-018-27 CIP

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

IN RE APPLICATION OF: JIM HUNTER, ET AL.

SERIAL NO.: NEW CIP APPLICATION

FILING DATE: HERewith

FOR: HIGH CONTRAST GRATING LIGHT VALVE

**REQUEST FOR DECLARATION OF INTERFERENCE, 37 C.F.R. §1.607 & 608**

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Pursuant to the provisions of the above-captioned Rules, Applicants request a declaration of an interference between the above-captioned patent application and U.S. Patent 6,169,624.

Pursuant to the provisions of Rule 608, Applicants believe they are entitled to a judgment vis-a-vis the '624 patentees, *prima facie*, on the basis of prior invention and correct designation of inventors in the '624 patent, and possibly derivation. Applicants also believe the '624 patent claims, at least claim 23, are invalid for lack of enablement. Upon indication of otherwise allowable subject matter, Applicants will present papers fully complying with Rule 608.

The provisions of Rule 607 are complied with *seriatim*, as follows:

1. The patent with which an interference is requested is U.S. Patent 6,169,624.
2. Applicants advance as a proposed count Claim 23 of the '624 patent, or Claim 1 or Claim 4 of the above-captioned patent application, which are substantially identical.
3. Applicants identify as at least one claim in the patent corresponding to the proposed count, Claim 23.

4. Applicants present Claims 1-10 herein, each of which is believed to correspond to the proposed count.

5. This provision is not applicable.

6. The conditions of 35 U.S.C. §135(b) are met. The '624 patent issued January 2, 2001. The parent application of this application (atty docket 8229-017-27 CIP) was filed less than a year after the issue date of the '624 patent (December 31, 2001) with a claim identical to Claim 23 of the '624 patent and claim 4 of the above-captioned application.

In compliance with the provisions of 37 C.F.R. §1.607(c), Applicants advise that Claim 1 of the above-captioned patent application was substantially copied from Claim 23 of the '624 patent.

Respectfully submitted,

PIPER MARBURY RUDNICK & WOLFE LLP



Steven B. Kelber  
Registration No: 30,073  
Attorney of Record

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